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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,068	03/02/2001	Michael J. Ramadei	F-166	7731

7590

05/10/2004

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EXAMINER

MASKULINSKI, MICHAEL C

ART UNIT

PAPER NUMBER

2113

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,068

Applicant(s)

RAMADEI ET AL.

Examiner

Michael C Maskulinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 1-7, 9, 12 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Final Office Action

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuyama et al., U.S. Patent 5,596,712, and further in view of Tatosian et al., U.S. Patent 5,956,352.

Referring to claim 8:

a. In column 2, lines 50-51, Tsuyama et al. disclose analyzing fault information of products (accessing machine data).

b. In column 10, lines 35-67 continued in column 11, lines 1-67, Tsuyama et al. disclose what is associated with each error. However, Tsuyama et al. don't explicitly disclose applying said data to a plurality of filters wherein each filter is user configured to recognize a specific error in said machine. In column 1, lines 13-16, Tatosian et al. disclose an invention that relates to an electronic data processing system having a user-configurable filter for selectively masking errors encountered in reading and writing data to and from a memory module in the system. It would have been obvious to one of ordinary skill at the time of the invention to include the error filters of Tatosian et al. into the system of Tsuyama

et al. A person of ordinary skill in the art would have been motivated to make the modification because *the invention helps to preserve the contents of a CSR by keeping information associated with a relatively frequent known memory error form overwriting data already stored in the CSR* (see Tatosian et al.: column 2, lines 19-22).

c. In column 2, lines 20-25, Tsuyama et al. disclose creating a fault tree representing causal relations between faults and causes thereof in the past in a tree structure on the basis of information concerning the structure and characteristics of the product and storing the fault tree in a storage unit, wherein the branches of the fault tree are allocated with weighting coefficients, respectively (associating the machine data with at least one potential or actual fault indicia to determine at least one potential or actual fault). Further, in column 2, lines 30-34, Tsuyama et al. disclose responding to the input of the new fault information for searching for the fault tree in accordance with the weighting coefficients on the basis of the fault information stored in the storage unit to thereby determine the cause of the fault of the product (wherein the fault indicia guides the computer to a location other than the starting point of a fault tree to determine a diagnostic path within the fault tree).

Referring to claim 10, in column 6, lines 45-49, Tsuyama et al. disclose that real data such as the date of occurrence of the fault, phenomena or symptoms thereof, causes of the fault, measures as taken actually and the like are sent to a host computer

center to be stored as records in a database (wherein the machine data is received in a log file).

Referring to claim 11:

- a. In Figure 2, Tsuyama et al. disclose a data collecting/managing station connected to the work station and a hand-held computer (a communications module for communicating machine data between the machine and the system).
- b. In column 2, lines 20-25, Tsuyama et al. disclose creating a fault tree representing causal relations between faults and causes thereof in the past in a tree structure on the basis of information concerning the structure and characteristics of the product and storing the fault tree in a storage unit, wherein the branches of the fault tree are allocated with weighting coefficients, respectively (a fault recognition module for analyzing the machine data to determine at least one potential or actual fault). Further, in column 10, lines 35-67 continued in column 11, lines 1-67, Tsuyama et al. disclose what is associated with each error. However, Tsuyama et al. don't explicitly disclose applying said data to a plurality of filters wherein each filter is user configured to recognize a specific error in said machine. In column 1, lines 13-16, Tatosian et al. disclose an invention that relates to an electronic data processing system having a user-configurable filter for selectively masking errors encountered in reading and writing data to and from a memory module in the system. It would have been obvious to one of ordinary skill at the time of the invention to include the error filters of Tatosian et al. into the system of Tsuyama et al. A person of

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ordinary skill in the art would have been motivated to make the modification because *the invention helps to preserve the contents of a CSR by keeping information associated with a relatively frequent known memory error form overwriting data already stored in the CSR* (see Tatosian et al.: column 2, lines 19-22).

c. In column 2, lines 30-34, Tsuyama et al. disclose responding to the input of the new fault information for searching for the fault tree in accordance with the weighting coefficients on the basis of the fault information stored in the storage unit to thereby determine the cause of the fault of the product (an expert system module having a fault tree with a starting point, where the expert system module is guided through the fault tree at a location other than the starting point of the fault tree by the determination of at least one potential or actual faults by the fault recognition module).

Response to Arguments

3. Applicant's arguments with respect to claims 8, 10, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C Maskulinski whose telephone number is (703) 308-6674. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MM


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